

REMARKS

Claims 1, 7, 8, 18, 24 and 25 remain pending in this application. Claims 2-6, 9-17, 19-23 and 26-48 have been withdrawn from further consideration, without prejudice, as being drawn to non-elected inventions or species. Claim 1 has been amended.

In view of the above amendment and the following remarks, Applicants request reconsideration of this application.

Claim Objections

The Examiner has objected to claims 1, 7 and 8 because of a typographical error in claim 1. Applicants have amended claim 1 to correct this typographical error.

Response to Claim Rejections Under 35 U.S.C. § 103(a)

Claims 1, 7, 18 and 24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Brandt in view of McCaslin. Applicants respectfully request reconsideration and withdrawal of this rejection.

Claim 1 is directed to a method of rental equipment management for a plurality of rental locations on a network that has at least one computer-server for communicating with users. The method includes displaying a reservation summary having reservation information pertaining to the type of equipment reserved and the date of reservation for a plurality of customer reservations. The method also includes tracking the equipment inventory information for each rental location for managing equipment availability at the plurality of rental locations.

Brandt describes a web browser input form for a customer to submit a *single* reservation request and the process by which the customer's single reservation request is submitted to an activity program to be stored in a system. Brandt further describes displaying to the customer a reservation confirmation screen after the customer has submitted the single reservation request. As Applicants previously asserted, Brandt does not teach or suggest displaying a reservation summary having reservation information for a plurality of customer reservations, as recited in amended claim 1 (*see* Response and Amendment filed on March 28, 2005). Also as Applicants

previously asserted, Brandt does not teach or suggest tracking the equipment inventory information for each rental location for managing equipment availability at the plurality of rental locations (*see* Second Response and Amendment filed on October 25, 2005).

In the present Office Action, the Examiner appears to acknowledge that Brandt is silent regarding tracking equipment inventory information for a plurality of rental locations. The Examiner asserts, however, that it would have been obvious to combine the system of Brandt with the system of McCaslin to achieve this recited feature of Applicants' claim 1. Applicants respectfully disagree.

Obviousness cannot be established unless there is some suggestion or motivation to modify the reference to produce the claimed invention. MPEP § 2142. Applicants respectfully submit, however, that there is no such suggestion or motivation in the cited art to use McCaslin to modify Brandt because the system of McCaslin is directed to a very different purpose than Applicants' invention. McCaslin does not address reservation tracking or tracking of equipment used in the equipment rental business. Instead, McCaslin is directed to a method and system for tracking, monitoring and evaluating equipment inventory such as that commonly used by electric utility distribution companies. The system includes a GUI that allows a central hub or location, such as a central inventory location, to fill orders for other locations or service centers that request equipment from the central inventory location (*see* col. 16, lines 3-15). McCaslin does not address the more complex problems encountered by equipment rental companies of tracking inventory at each of a plurality of rental locations, tracking the reservations for each location, and confirming that there is sufficient equipment to fulfill the reservations for each particular location.

In contrast to McCaslin, Applicants' invention is directed to the management of equipment for the rental business, particularly rental of moving equipment, which is a dynamic business wherein hundreds of reservations are made in a day and the inventory is constantly moving from one location to another – not necessarily from a central inventory location as is described in McCaslin. Because of these differences, Applicants respectfully suggest that the cited references do not present any suggestion or motivation to combine McCaslin and Brandt.

Even if it were proper to combine Brandt and McCaslin, Applicants respectfully submit that that combination does not render claim 1 unpatentable. As discussed above, Brandt does not teach the elements of claim 1. Likewise, McCaslin does not teach or suggest these elements. For example, McCaslin does not suggest in any way the importance of tracking rentals or displaying a summary of reservations for such rentals. McCaslin does not teach or suggest displaying a reservation summary having reservation information for a plurality of customer reservations. Thus, the combination of Brandt and McCaslin does not teach or suggest the elements of claim 1.

The Examiner also has taken official notice that equipment management systems are used in auto rental locations that manage equipment availability and concludes that it would be obvious to include such a feature in Brandt. Applicants respectfully traverse this official notice and request the Examiner to provide documentary evidence supporting his statement. Applicants do not believe that rental car companies track the equipment inventory information for each of a plurality of rental location for managing equipment availability at the plurality of locations. Rather, Applicants believe that rental car companies only track equipment inventory information at individual locations. A key difference between the automobile rental business and the moving equipment rental business is that the latter presents greater problems in managing rental inventory because the inventory is much more dynamic, i.e. the inventory at a given rental location changes constantly. This is because, in the moving equipment rental business, the typical transaction involves a customer picking up a piece of equipment in one location and returning the equipment to a different location. In contrast, the inventory at a car rental location remains relatively static because the typical car rental transaction involves the customer picking up a car at a location and returning the car to the same location. Thus, in the vast majority of rental car transactions it is not necessary for the company to track inventory information for a plurality of locations to determine what will be available at those locations. Applicants respectfully submit, therefore, that the Examiner's official notice is in error and request the Examiner to provide documentary evidence supporting that official notice.

Applicants respectfully submit, therefore, that claim 1 is patentable over Brandt and McCaslin, taken either alone or in combination.

Claim 7 depends from and includes all of the elements of claim 1. For at least the reasons set forth above with respect to claim 1, therefore, Applicants respectfully submit that claim 7 also is patentable over Brandt and McCaslin, taken either alone or in combination.

Claim 18 also is directed to a method of rental equipment management for a plurality of rental locations. The method includes the steps of: displaying on a screen in communication with a computer a reservation summary having reservation information pertaining to the type of equipment reserved and the date of reservation for a plurality of customer reservations; and tracking the equipment inventory information for each rental location for managing equipment availability at the plurality of rental locations. Claim 24 depends from and includes all of the elements of claim 18.

For the reasons discussed above with respect to claim 1 and claim 7, Applicants also submit that claims 18 and 24 also are patentable over Brandt and McCaslin, taken either alone or in combination.

Claims 8 and 25 stand rejected claims under 35 U.S.C. § 103(a) as being unpatentable over Brandt in view of McCaslin and further in view of Craig. Applicants respectfully request reconsideration and withdrawal of this rejection.

For the reasons discussed above, Applicants respectfully submit that it is improper to combine Brandt and McCaslin. Moreover, Applicants respectfully submit that it is improper to combine Craig with Brandt or McCaslin. Craig does not address reservation information or equipment tracking, does not disclose a reservation summary or fields for reservation information or equipment tracking and is not concerned with the problem of managing equipment availability at a plurality of rental locations.

Even if it were proper to combine Craig with Brandt and McCaslin, Applicants respectfully submit that that combination does not teach all of the elements of claims 8 and 25. Claim 8 depends from and includes all of the limitations of claim 1. Claim 25 depends from and includes all of the limitations of claim 18. As discussed above, however, Brandt and McCaslin do not teach the elements of claims 1 and 18. Likewise, Craig does not teach or suggest these elements. For example, Craig does not teach or suggest tracking equipment inventory

information for each of a plurality of rental locations for managing equipment availability at the plurality of rental locations. Nor does Craig teach or suggest displaying a reservation summary having reservation information for a plurality of customer reservations. Thus, the combination of Brandt, McCaslin and Craig does not teach or suggest the elements of claims 8 and 25.

Applicants respectfully submit, therefore, that claims 8 and 25 are patentable Brandt, McCaslin and Craig, taken either alone or in combination.

Finality of Office Action

The Examiner made the outstanding Office Action final because the Examiner contends that Applicant's amendment necessitated the new grounds of rejection. Applicants respectfully traverse the Examiner's decision to make the Office Action final and request the Examiner to withdraw the finality of the Office Action.

The subject amendment was the Applicants' amendment to claims 1 and 18 to clarify that the tracking of equipment information for each rental location is "for managing equipment availability at the plurality of rental locations." When these claims were amended, however, Applicants did not amend all independent claims then pending in the application. Specifically, Applicants did not amend claim 35 (which at the time was still pending in the application) directed to an equipment management system for tracking reservation information and equipment inventory for a plurality of locations. Claim 35 recites "an equipment inventory field having information pertaining to the type of equipment and number of equipment available at each of the plurality of locations." Because this recitation is similar to the language added by Applicants' amendment to claims 1 and 18, Applicants respectfully submit that it was not Applicants' amendment of claims 1 and 18 that necessitated the new citation of art upon which the Examiner now relies. Applicants therefore respectfully request that the Examiner withdraw the finality of the present Office Action.

Conclusion

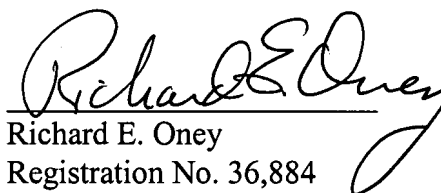
All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and

Response and Amendment
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complete reply has been made to the outstanding Office Action, and that the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Dated: April 10, 2007

Respectfully submitted,

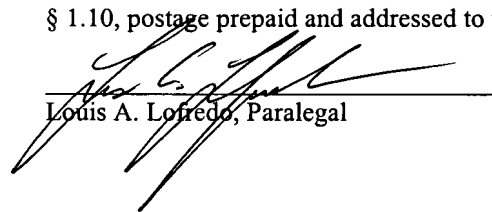


Richard E. Oney
Registration No. 36,884
Tiffany & Bosco, P.A.
2525 E. Camelback Road, Third Floor
Phoenix, Arizona 85016
Tel: (602) 255-6094

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Louis A. Lofredo, Paralegal

4-10-07
Date of Signature